



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### West Central Regional Office

3019 Peters Creek Road, Roanoke, Virginia 24019

(540) 562-6700 Fax (540) 562-6725

[www.deq.virginia.gov](http://www.deq.virginia.gov)

L. Preston Bryant, Jr.  
Secretary of Natural Resources

David K. Paylor  
Director

Steven A. Dietrich  
Regional Director

July 07, 2008

Mr. Elmer Handy, Operations Manager  
Bedford Co. Public Service Authority  
1723 Falling Creek Road  
Bedford, VA 24523

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

RE: Reissuance of VPDES Permits No. - VA0020869, Thaxton Elementary School STP;  
VA0020851, Otter River Elementary School STP

Dear Mr. Handy:

The VPDES permits for the above referenced facilities are enclosed. A Discharge Monitoring Report (DMR) form for each permit is included with the permit. Please make additional copies of the DMRs for future use. The first DMR for monthly monitored parameters is due by **September 10, 2008** for monitoring in **August, 2008**. If you still have DMR data to report as required by the previous permit please submit it as an attachment to the first DMR required by this permit. Monitoring results on the DMRs should be reported to the same number of significant digits as are included in the permit limit for the parameter. Please send DMRs to: Virginia DEQ – WCRO, 3019 Peters Creek Rd., Roanoke, VA 24019-2738.

DEQ has launched an e-DMR program that allows you to submit the effluent data electronically. If you are interested in participating in this program please visit the following website for details: <http://www.deq.virginia.gov/water/edmrfaq.html>.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Alternatively, any owner under §§62.1 - 44.16, 62.1 - 44.17, and 62.1 - 44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said petition must

meet the requirements set forth in § 1.23(b) of the Board's Procedural Rule No. 1. In cases involving actions of the Board, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

If you have additional questions, please do not hesitate to contact Kevin A. Harlow at (540) 562-6788.

Sincerely,



Robert J. Weld  
Deputy Regional Director

Enclosures: Permits & DMRs

Cc: DEQ – OWPP (electronically)  
EPA, Region III – 3WP12 (electronically)  
Mr. Dennis Overstreet, Director of Maintenance, Bedford County School Board

**COMMONWEALTH OF VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)**  
**DISCHARGE MONITORING REPORT(DMR)**

Municipal Minor      05/27/2008  
**DEPT. OF ENVIRONMENTAL QUALITY**  
(REGIONAL OFFICE)

NAME      Bedford County Schools - Otter River Elem School  
ADDRESS   Bedford County Schools  
                 Bedford  
                 VA 24523

FACILITY      1044 Otter River Dr - Rt 221 East  
LOCATION

VA0020851	001
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD

YEAR	MO	DAY	YEAR	MO	DAY

FROM

Roanoke      VA 24019

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS  
BEFORE COMPLETING THIS FORM.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTD			*****	*****	*****				
	REQRMNT	0.0045	NL	*****	*****	*****	MGD		1/D-D	EST
002 PH	REPORTD	*****		*****	*****					
	REQRMNT	*****		6.0	*****	9.0	SU		1/D-D	GRAB
003 BOD5	REPORTD			*****						
	REQRMNT	400	610	*****	24	36	MG/L		1/D-M	GRAB
004 TSS	REPORTD			*****						
	REQRMNT	510	760	*****	30	45	MG/L		1/D-M	GRAB
005 CL2, TOTAL	REPORTD	*****		*****						
	REQRMNT	*****		*****	9.4	11.3	UG/L		1/D-D	GRAB
039 AMMONIA, AS N	REPORTD	*****		*****						
	REQRMNT	*****		*****	6.1	6.1	MG/L		1/D-M	GRAB
120 E.COLI	REPORTD	*****		*****						
	REQRMNT	*****		*****	126		N/CML		2/M	GRAB
157 CL2, TOTAL CONTACT	REPORTD	*****		*****						
	REQRMNT	*****		1.5	*****	*****	MG/L	2	1/D-D	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE					
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY			
<p>I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. &amp; 1001 AND 33 U.S.C. &amp; 1319. (Penalties under these statutes may include fines up to \$10,000 and/or maximum imprisonment of between 6 months and 5 years.)</p>				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT								
				TYPED OR PRINTED NAME	SIGNATURE	TELEPHONE	YEAR	MO.	DAY			



**COMMONWEALTH OF VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)**  
**DISCHARGE MONITORING REPORT(DMR)**

Municipal Minor 05/27/2008

**DEPT. OF ENVIRONMENTAL QUALITY**  
(REGIONAL OFFICE)

West Central Regional Office  
3019 Peters Creek Road

Roanoke VA 24019

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS  
BEFORE COMPLETING THIS FORM.

PERMITTEE NAME/ADDRESS(INCLUDE  
FACILITY NAME/LOCATION IF DIFFERENT)

NAME Bedford County Schools - Otter River Elem School  
ADDRESS Bedford County Schools  
Bedford VA 24523

FACILITY LOCATION 1044 Otter River Dr - Rt 221 East

VA0020851		001	
PERMIT NUMBER		DISCHARGE NUMBER	

MONITORING PERIOD			
YEAR	MO	DAY	TO

FROM

PARAMETER	QUANTITY OR LOADING		QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	UNITS		
213 CL2, INST TECH MIN LIMIT	*****	*****			*****			
	*****	*****	0.6		*****	MG/L	1/D-D	GRAB
REPORTD								
REQRMNT								
REPORTD								
REQRMNT							*****	
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ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE		DATE				
				TYPED OR PRINTED NAME	SIGNATURE	YEAR	MO. DAY			
<p>I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. &amp; 1001 AND 33 U.S.C. &amp; 1319. (Penalties under these statutes may include fines up to \$10,000 and/or maximum imprisonment of between 6 months and 5 years.)</p>				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE					
				TYPED OR PRINTED NAME	SIGNATURE	YEAR	MO. DAY			

THIS REPORT IS REQUIRED BY LAW (33 U. S. C. § 1318 40 CFR 122.60). FAILURE TO REPORT OR FAILURE TO REPORT TRUTHFULLY CAN RESULT IN CIVIL PENALTIES NOT TO EXCEED \$10,000 PER DAY OF VIOLATION: OR IN CRIMINAL PENALTIES NOT TO EXCEED \$25,000 PER DAY OF VIOLATION OR BY IMPRISONMENT FOR NOT MORE THAN FIVE YEARS, OR BOTH.

### GENERAL INSTRUCTIONS

1. Complete this form in permanent ink or indelible pencil.
2. Be sure to enter the dates for the first and last day of the period covered by the report on the form in the space marked "Monitoring Period".
3. For those parameters where the "permit requirement" spaces are blank or a limitation appears, provide data in the "reported" spaces in accordance with your permit.
4. Enter the average and, if appropriate, maximum quantities and units in the "reported" spaces in the columns marked "Quantity or Loading".  
 $\text{KG/DAY} = \text{Concentration(mg/l)} \times \text{Flow(MGD)} \times 3.785$ .
5. Enter maximum, minimum, and/or average concentrations and units in the "reported" spaces in the columns marked "Quality or Concentration".
6. Enter the number of samples which do not comply with the maximum and /or minimum permit requirements in the "reported" space in the column marked "No. Ex".
7. Enter the actual frequency of analysis for each parameter (number of times per day, week, month) in the "reported" space in the column marked "Frequency of Analysis".
8. Enter the actual type of sample collected for each parameter in the "reported" space in the column marked "Sample Type".
9. Enter additional required data or comments in the space marked "additional permit requirements or comments".
10. Record the number of bypasses during the month, the total flow in million gallons and BOD5 in kilograms in the proper columns in the section marked "Bypasses and Overflows".
11. The operator in responsible charge of the facility should review the form and sign in the space provided. If the plant is required to have a licensed operator, the operator's certificate number should be reported in the space provided.
12. The principal executive officer should then review the form and sign in the space provided and provide a telephone number where he/she can be reached.
13. You are required to sample at the frequency and type indicated in your permit.
14. Send the completed form to your Dept. of Environmental Quality Regional Office by the 10th of each month.
15. You are required to retain a copy of the report for your records.
16. Where violations of permit requirements are reported, attach a brief explanation in accordance with the permit requirements describing causes and corrective actions taken. Reference each violation by date.
17. If you have any questions, contact the Dept. of Environmental Quality Regional Office.



**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**

Permit No. **VA0020851**  
Effective Date: **July 7, 2008**  
Expiration Date: **July 6, 2013**

**AUTHORIZATION TO DISCHARGE UNDER THE  
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**AND**

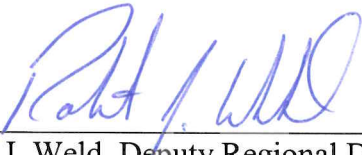
**THE VIRGINIA STATE WATER CONTROL LAW**

In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the information submitted with the permit application, and with this permit cover page, and Parts I and II of this permit, as set forth herein.

Owner Name: **Bedford County School Board**  
Facility Name: **Otter River Elementary School STP**  
City: **NA**  
County: **Bedford**  
Facility Location: **1044 Otter River Drive, Goode, Bedford County, Virginia**

The owner is authorized to discharge to the following receiving stream:

Stream Name: **Unnamed Tributary to Big Otter River**  
River Basin: **Roanoke River**  
River Subbasin: **Roanoke River**  
Section: **5a**  
Class: **III**  
Special Standards: **PWS**

  
\_\_\_\_\_  
Robert J. Weld, Deputy Regional Director

**July 7, 2008**  
\_\_\_\_\_  
Date



## A. Final Effluent Limitations and Monitoring Requirements

1. During the period beginning with the permit's effective date, and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall number 001. This discharge shall be limited and monitored as specified below:

EFFLUENT CHARACTERISTICS	Monthly Average	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
		Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MGD) <sup>(a)</sup>	NL	NA	NA	NL	1/D-Day	Estimate
pH (Standard Units)	NA	NA	6.0 s.u.	9.0 s.u.	1/D-Day	Grab
BOD <sub>5</sub> <sup>(b)</sup>	24 mg/L 400 g/d	36 mg/L 610 g/d	NA	NA	1/D-Month	Grab
Total Suspended Solids <sup>(b)</sup>	30 mg/L 510 g/d	45 mg/L 760 g/d	NA	NA	1/D-Month	Grab
Ammonia-Nitrogen <sup>(b)</sup>	6.1 mg/L	6.1 mg/L	NA	NA	1/D-Month	Grab
Total Residual Chlorine <sup>(b) (c)</sup>	9.4 µg/L	11.3 µg/L	NA	NA	1/D-Day	Grab
E. coli (N/100mL)	126 *	NA	NA	NA	2/D-Month	Grab

\*Geometric Mean. Samples shall be collected between 10 a.m. and 4 p.m.

NL = No limitation, monitoring only

1/D-Day = Once per 24-hour period during which discharge occurs.

NA = Not applicable.

1/D-Month = Once per month during which discharge occurs.

- a. The design flow for this facility is 0.0045 MGD.
- b. See Part I.C.1 Compliance Reporting requirements.
- c. See Part I.B for additional TRC limitations and monitoring requirements.
- d. There shall be no discharge of floating solids or visible foam in other than trace amounts.
- e. At least 85% removal for BOD and TSS must be attained for this effluent.

**B. Additional TRC Limitations and Monitoring Requirements**

1. The permittee shall monitor the TRC at the outlet of the chlorine contact tank once per discharge day by grab sample.
2. No more than 2 of all samples taken at the outlet of the chlorine contact tank shall be less than 1.5 mg/l for any one calendar month.
3. No TRC sample collected at the outlet of the chlorine contact tank shall be less than 0.6 mg/l.
4. If dechlorination facilities exist the samples above shall be collected prior to dechlorination.

**C. Special Conditions****1. Compliance Reporting under Part I A and Part I B**

- a. The quantification levels (QL) shall be as follows:

<u>Effluent Characteristic</u>	<u>Quantification Level</u>
BOD <sub>5</sub>	5.0 mg/l
TSS	1.0 mg/l
Chlorine	0.10 mg/l
Ammonia-N	0.20 mg/l

- b. Reporting

**Monthly Average** -- Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in Part I A and B shall be determined as follows: All concentration data below the QL listed above shall be treated as zero. All concentration data equal to or above the QL listed in a. above shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the concentration data to determine the quantity.

**Weekly Average** -- Compliance with the weekly average limitations and/or reporting requirements for the parameters listed in Part I A and B shall be determined as follows: All concentration data below the QL listed in a. above shall be treated as zero. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each complete calendar week and entirely contained within the reporting month. The maximum value of the weekly averages thus determined shall be reported on the DMR. If all data are below the QL, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the concentration data to determine the quantity.

- c. Any single datum required shall be reported as "<QL" if it is less than the QL in a. above. Otherwise the numerical value shall be reported.
- d. Monitoring results shall be reported using the same number of significant digits as listed in the permit.

**Significant Digits** -- The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used by the permittee (i.e., 5 always rounding up or to the nearest even number), the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.



2. **95% Capacity Reopener** -- A written notice and a plan of action for ensuring continued compliance with the terms of this permit shall be submitted to the West Central Regional Office when the monthly average flow influent to the sewage treatment plant reaches 95 percent of the design capacity authorized in this permit for each month of any three consecutive month period. The written notice shall be submitted within 30 days and the plan of action shall be received at the West Central Regional Office no later than 90 days from the third consecutive month for which the flow reached 95 percent of the design capacity. The plan shall include the necessary steps and a prompt schedule of implementation for controlling any current or reasonably anticipated problem resulting from high influent flows. Failure to submit an adequate plan in a timely manner shall be deemed a violation of this permit.

3. **Operation and Maintenance Manual Requirement**

The permittee shall review the existing Operations and Maintenance (O&M) Manual and notify the DEQ Regional Office in writing within 90 days of July 7, 2008 whether it is still accurate and complete. If the O&M Manual is no longer accurate and complete, a revised O&M Manual shall be submitted for approval to the DEQ Regional Office within 90 days of July 7, 2008 or with the above required notification. The permittee will maintain an accurate, approved operation and maintenance manual for the treatment works. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

- a. Techniques to be employed in the collection, preservation, and analysis of effluent samples (and sludge samples if sludge analyses are required);
- b. Discussion of Best Management Practices, if applicable;
- c. Treatment works design, treatment works operation, routine preventative maintenance of units within the treatment system, critical spare parts inventory and record keeping;
- d. Procedures for handling, storing, and disposing of all wastes, fluids, and pollutants that will prevent these materials from reaching state waters.

Any changes in the practices and procedures followed by the permittee shall be documented and submitted for staff approval within 90 days of the effective date of the changes. Upon approval of the submitted manual changes, the revised manual becomes an enforceable part of the permit. Noncompliance with the O&M Manual shall be deemed a violation of the permit.

4. **Reliability Class** - The permitted treatment works shall meet Reliability Class I requirements.
5. **Licensed Operator Requirement** - No licensed operator is required for this facility. The licensed operator requirement will be reevaluated if the facility is upgraded. The permittee shall have the required licensed operator upon issuance of the CTO for the upgraded facility.
6. **Sludge Reopener** - The Board may promptly modify or revoke and reissue this permit if any applicable standard for sewage sludge use or disposal promulgated under Section 405(d) of the Clean Water Act is more stringent than any requirements for sludge use or disposal in this permit, or controls a pollutant or practice not limited in this permit.
7. **CTC, CTO Requirement** -- The permittee shall, in accordance with the DEQ Sewage Collection and Treatment Regulation (9VAC 25-790), obtain a Certificate to Construct (CTC), and a Certificate to Operate (CTO) from the DEQ prior to constructing wastewater treatment works and operating the treatment works, respectively. Non-compliance with the CTC or CTO shall be deemed a violation of the permit.

- 8. Closure Plan** - If the permittee plans an expansion or upgrade to replace the existing treatment works, or **if the facility is permanently closed, the permittee shall submit to the DEQ a closure plan** for the treatment works. The plan shall address liquid and sludge removal, odor control measures, structure and pipe removal, steps to prevent unauthorized access, fill materials, final grading, and seeding. The plan should contain proposed dates for beginning and completion of the work. The plan must be approved by the DEQ and the Virginia Department of Health prior to implementation. The permittee shall sample once for each foot of drawdown, and when the discharge no longer meets permit limits, the discharge shall cease and the rest of the contents shall be pumped and hauled to another, permitted facility for treatment and disposal.
- 9. Sludge Use and Disposal** - The permittee shall conduct all sewage sludge use or disposal activities in accordance with the Sludge Management Plan (SMP) approved with the issuance of this permit. Any proposed changes in the sewage sludge use or disposal practices or procedures followed by the permittee shall be documented and submitted for DEQ and Department of Health approval 90 days prior to the effective date of the changes. Upon approval, the revised SMP becomes an enforceable part of the permit. The permit may be modified or alternatively revoked and reissued to incorporate limitations or conditions necessitated by substantive changes in sewage sludge use or disposal practices.
- 10. Total Maximum Daily Load (TMDL) Reopener** – The permit shall be modified or alternatively revoked and reissued if any approved wasteload allocation procedure, pursuant to Section 303(d) of the Clean Water Act, imposes wasteload allocations, limits or conditions on the facility that are not consistent with the permit requirements.



## PART II - CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. Records

1. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individual(s) who performed the sampling or measurements;
  - c. The date(s) and time(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

Virginia Department of Environmental Quality  
West Central Regional Office  
3019 Peters Creek Road  
Roanoke VA 24019-2738
2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.



G. Reports of Unauthorized Discharges (Continued)

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
  - a. Any unanticipated bypass; and
  - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
  - a. A description of the noncompliance and its cause;
  - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
  - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

K. Signatory Requirements

1. Applications. All permit applications shall be signed as follows:
  - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
  - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described in Part II K 1;
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
  - c. The written authorization is submitted to the Department.
3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.



P. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of Solids or Sludges

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.
2. Notice
  - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
  - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.
3. Prohibition of bypass.
  - a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:
    - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;



W. Inspection and Entry (Continued)

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:
  - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
  - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
  - c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.